

LEGAL AID and the RULE OF LAW.....

A critical intersection in access to justice.

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What is legal aid ?

- Compared with pro bono services
- Can be institutionalised
- Can be entirely undertaken by salaried legal aid lawyers
- Can be delivered by a mixed model of service delivery



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Why do we need legal aid ?

- to bridge the justice gap and ensure equality of arms because globally-
 - 235 million people live in extreme conditions of injustice
 - 1.5 billion people cannot resolve their justice problems
 - 4.5 billion people are excluded from the opportunities the law provides

UN Task Force on Justice, Justice for All, 2019

- to aid the efficiency of the justice system



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Funding options for legal aid systems

- + taxpayer funding
- + IOLTA funding
- + system-generated funding
- + mixed model funding



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Costs/benefits of legal aid funding

- ❖ human costs of inadequate funding
- ❖ financial burden to government of inadequate funding
- ❖ empirical evidence of benefits to both state and citizen of adequate funding



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Improve funding and enhance systems

- make the creator of unmet need pay for it
- increased use of judicial certification
- “unbundling” of legal services



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